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AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS

Federal Communications Commission
Office of the Secretary

A. RAY CHAMBERLAIN, President
Executive Director
Colorado Department
of Transportation



FRANCIS B. FRANCOIS
Executive Director

[Handwritten signature]
FILE

April 10, 1992

Office of the Secretary
Federal Communications Commission
1919 M Street, Room 222
Washington, DC 20554

Dear Sir:

Enclosed are an original and nine copies of AASHTO's comments on ET Docket No. 92-9 concerning Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies.

Do not hesitate to so inform me should you have further comments or question regarding this submittal.

Yours truly,

Larry A Miller

Larry A. Miller
Frequency Coordination Manager

LAM:tcd

enclosures

cc: David J. Hensing

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FRANCIS B. FRANCOIS
Executive Director

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Redevelopment of Spectrum to) ET Docket No. 92-9
Encourage Innovation in the)
Use of New Telecommunications)
Technologies)

COMMENTS OF THE
AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
SPECIAL COMMITTEE ON COMMUNICATIONS

by

Its Chairman

Richard Smith

April 10, 1992

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To: The Commission

Comments

The American Association of State Highway and Transportation Officials respectfully submit these Comments on the Commission's Notice of Proposed Rule Making in the above captioned proceeding.

AASHTO is the national association of the state departments of highways and transportation in the 50 states, the District of Columbia and Puerto Rico. Its scope includes all five principal transportation modes, and its major purpose is to foster the development, operation and maintenance of an integrated national transportation system.

Position Statement

AASHTO agrees that a spectrum allocation for emerging telecommunications is desirable. We understand the interest in worldwide compatibility of communications systems which will utilize the spectrum allocated in accordance with this proceeding. There is no doubt that some of the proposed new technologies and related communications systems will be marketable and will find long term usage. However, we question the wisdom of displacing existing systems whose cost and benefit to the public are significant and proven to accommodate systems which may not find long term usage.

In paragraph 15, page eight the Commission notes that many current private fixed microwave licensees are local governments. A large number of these municipalities have been required to obtain funding to build their existing systems from their state legislatures. It is unlikely that these same legislative bodies would look favorably upon funding a replacement system. The investment in, and service provided by these governmental systems must be given serious consideration in this proceeding.

The highway maintenance communication systems help ensure the safety of motorists and reduces construction and maintenance costs through more efficient management control of the construction work force. In many cases, moving to other frequency bands is not technically feasible, as evidenced by testimony given at the Commission's December 5, 1991 en banc hearing on personal communication services (PCS). Carl R. Bailey, who testified on behalf of the American Petroleum Institute, the Utilities Telecommunications

and the American Association of Railroads, questioned the technical suitability of the 2 GHz band for PCS.¹

In cases where sharing is proven to be acceptable, it should be encouraged. However, existing systems must not be forced to relinquish their currently licensed frequencies unless suitable alternative frequencies or other technologies are available at no additional cost to the current licensee.

Notwithstanding Mr. Bailey's testimony, as well as the concerns raised by the Public Safety Community, the Commission appears to view the 2 GHz band as the future home of PCS. We will, therefore, confine the remainder of our comments to the specific issues listed in this docket.

In paragraph 16, the possibility of reallocating the 1.99 - 2.11 GHz band is discussed. This band is currently used by broadcasters for studio to transmitter links (STL) and by multipoint distribution services (MDS) to provide video programming to subscribers over city-wide and rural areas where cable systems are not practical.

We ask the Commission to consider this band for PCS in light of the fact that most STL path lengths are relatively short and could be accommodated by higher frequency bands or other technologies. The possibility of co-channel sharing between PCS and MDS service in rural areas seems feasible. The same market conditions which render cable distribution systems uneconomical would

^{1/} Mr. Bailey noted the poor propagation characteristics of the 2 GHz band at proposed power levels and the limited ability of these signals to penetrate buildings or other obstacles.

seem to hold true for PCS systems as well. There would be less chance for harmful interference between MDS and PCS systems than for the existing Public Safety systems which must provide coverage to rural as well as urban areas.

The costs associated with the relocation of MDS and STL systems could be passed on to subscribers of these services, an option that does not exist for Public Safety agencies.

We also suggest that the 1.66 - 1.85 GHz and 2.2 - 2.3 GHz bands be considered for PCS applications.

AASHTO commends the Commission on their proposal to exempt state and local government 2 GHz fixed microwave facilities from any mandatory transition periods as noted in paragraph 25. Further, we agree with the statement of support for the existing user made by Commissioner Ervin S. Duggan:

I believe that the Commission must always demonstrate maximum sensitivity to the needs of incumbent users -- especially those in the public safety community -- who have for long periods acted in good faith and have abided by our rules.

AASHTO urges the Commission to investigate unused or underused government spectrum for possible utilization through future reallocation. AASHTO further requests that the Commission define the co-primary status and identify the party responsible for solving interference problems occurring due to a new PCS system operation.

Conclusion

AASHTO recognizes the importance of and potential benefit to the public of advanced communications systems and technologies and urges the Commission to consider the concerns of our member departments, and the public in general, as it proceeds with this important undertaking.

Respectfully submitted,

for Larry A Miller
Richard Smith
Chairman, Special Committee on
Communications

American Association of State
Highway and Transportation
Officials